



429708



Re: Interco
 Michelle Kerr to: Kellmeyer, Joseph
 Cc: Joan Tanaka, "Kemper, Ryan Russell"

02/27/2012 09:30 AM

Mr. Kellmeyer, your correspondence is acknowledged. I trust you saw via email on Friday that we are granting an extension until May 4, 2012 to respond to the Information Request.

Thank you,

Michelle Kerr
 US EPA Region 5 Superfund Division
 Remedial Project Manager
 77 W. Jackson Blvd. SRF 6J
 Chicago, IL 60604
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"Kellmeyer, Joseph" Joan and Michelle - Following up on my mess...

02/22/2012 01:51:33 PM

From: "Kellmeyer, Joseph" <JKELLMAYER@thompsoncoburn.com>
 To: Michelle Kerr/R5/USEPA/US@EPA, Joan Tanaka/R5/USEPA/US@EPA
 Cc: "Kemper, Ryan Russell" <RKemper@thompsoncoburn.com>, "Kellmeyer, Joseph" <JKELLMAYER@thompsoncoburn.com>
 Date: 02/22/2012 01:51 PM
 Subject: Interco

Joan and Michelle –

Following up on my message to Joan earlier today, please find attached hereto a written response to the letter I received from USEPA. Please feel free to contact me with any questions in this regard..

As you know, I signed on behalf of Interco the 2/17 correspondence from the ISRI group requesting additional time to respond to USEPA's inquiries up to and including 6/3/12. I believe for the reasons stated therein that an extension of time is critical for Interco and others to develop sufficient information to answer USEPA's inquiries in a meaningful manner. Please let me know at your earliest convenience whether USEPA intends to grant the extension to 6/3/12.

I appreciate your attention to this matter.

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February 22, 2012

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VIA ELECTRONIC & FIRST CLASS MAIL

Michelle Kerr
Remedial Project Manager, Superfund Division
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Blvd., SRF 6J
Chicago, IL 60604

Re: Response to Chemetco Superfund Site General Notice Letter, Second Notice

Dear Ms. Kerr:

As you know, this firm represents Interco Trading Company (“Interco”) with respect to the Chemetco Superfund Site matter. We are in receipt of correspondence dated February 17, 2012, from Joan Tanaka, Chief of the Remedial Response Branch of the Superfund Division at Region 5. Much to our surprise, Ms. Tanaka demands that we respond with regard to our “intent to negotiate with EPA by March 3, 2012,” regarding the Chemetco site.

As you are aware, we have had multiple discussion regarding this matter since my client received the General Notice Letter (“GNL”) in December of 2011. Further, as you know, we traveled to Chicago last month to inspect documents made available at the Region 5 Records Center. It has been my understanding through this process that no separate response would be required from my client regarding the GNL. Rather, because my client also received 104(e) Information Requests with the GNL, it was my understanding that Interco’s response to the Information Requests would also serve as Interco’s response to the GNL. If this is not the case, please let me know immediately upon your receipt of this correspondence.

Nevertheless, in case it has not become apparent from our discussions and actions, and to the extent that a response is required directly to the GNL, Interco responds as follows based on the information that EPA has presented to Interco thus far:

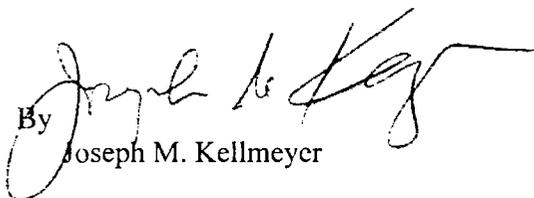
Interco Trading is receptive to receiving information from EPA regarding Interco’s alleged involvement at the Chemetco site. Interco will review and evaluate this information in a good faith effort to resolve this matter with all interested parties, to the extent that the EPA presents Interco with sufficient information upon which to base such actions by Interco.

February 22, 2012
Page 2

Please contact me immediately if any other response is required from my client or if you have any questions.

Very truly yours,

Thompson Coburn LLP

By 
Joseph M. Kellmeyer

JMK/bac

cc: Joan Tanaka